27355. Misbranding of Tonic Wormite. U. S. v. Charles F. Schneider and Dennison W. Schneider (The Interstate Medical Co.). Pleas of guilty. Fine, $100 and costs. (F. & D. no. 38603. Sample nos. 63200–B, 63350–B.)

The labeling of this product contained false and fraudulent curative and therapeutic claims.

On May 6, 1937, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Charles F. Schneider and Dennison W. Schneider, copartners, trading as the Interstate Medical Co., at Kingsley, Iowa, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about March 7, 1936, from the State of Iowa into the State of Minnesota of quantities of Tonic Wormite that was misbranded. It was labeled in part: "Tonic Wormite * * * A Valuable Remedy for Worms in Pigs and Poultry * * * [or "A Valuable Remedy for Worms in Hogs"] * * * Prepared only by The Interstate Medical Co."

Analysis showed that it consisted essentially of magnesium sulphate (Epsom salt), plant material, sodium bicarbonate, sodium chloride, charcoal, and santonin.

The article was alleged to be misbranded in that certain statements, designs, and devices appearing on the label, regarding its therapeutic and curative effects, falsely and fraudulently represented that it was effective (in the case of the lot labeled "Remedy for Worms in Hogs") as a treatment, remedy, and cure for worms in hogs and poultry, effective to destroy the worms at once, and effective as a stock tonic and as a worm preventive; and in the case of the lot labeled "Remedy for Worms in Pigs and Poultry", that it was effective as a treatment, remedy, and cure for worms in pigs and poultry, effective to remove and destroy the worms at once, and effective as a worm preventive.

On May 24, 1937, pleas of guilty were entered on behalf of the defendants and the court imposed a fine of $100 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

27356. Adulteration and misbranding of Antiseptol. U. S. v. Cesare Sallusto (Giustino Sallusto Co.). Plea of guilty. Fine, $50. (F. & D. no. 38638. Sample no. 13218–C.)

This product did not possess the antiseptic and disinfectant properties claimed and its labeling contained false and fraudulent curative and therapeutic claims.

On May 12, 1937, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Cesare Sallusto, trading as the Giustino Sallusto Co., at Brooklyn, N. Y., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about June 6, 1936, from the State of New York into the State of Ohio of a quantity of Antiseptol that was adulterated and misbranded. It was labeled in part: "Antiseptol * * * General Distributing Agents Giustino Sallusto Company."

Analysis of the article showed that it consisted essentially of boric acid, zinc sulphate, and menthol. Bacteriological examination showed that it was not an antiseptic and disinfectant when used as directed.

It was alleged to be adulterated in that there was affixed to its can-container a label that bore the statements "Antiseptic—Disinfectant (For Vaginal Douches)", that said statements were professions that the article possessed the strength of an antiseptic and of a disinfectant when used in douching the vagina, that the article did not possess such strength when so used, and that it fell below the professed standard of strength under which it was sold.

The article was alleged to be misbranded in that there was affixed to its can-container a label that bore the following statements, "Antiseptol * * * Antiseptic—Disinfectant * * * (For Vaginal Douches) Recommended for * * * disinfecting the female sexual organs * * * Add a teaspoonful of Antiseptol to a liter of boiled water and shake until dissolved. After it has cooled use as a vaginal douche", that the aforesaid statements were false and misleading since a mixture consisting of a teaspoonful of the article and a liter of boiled water, shaken until dissolved, and cooled could not be used effectively as an antiseptic and disinfectant in douching the vagina and female sexual organs. It was alleged to be misbranded further in that certain statements, designs, and devices regarding its therapeutic and curative effects falsely and fraudulently represented that it was effective to disinfect the female sexual organs, to soothe the burning caused by inflammations of the vaginal walls, to dissolve the mucous and pathological secretions in the female sexual organs,

and to obtain preventive action against any female disease and against infections in general.

On May 25, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $50.

M. L. WILSON, *Acting Secretary of Agriculture.*

27357. Adulteration and misbranding of compressed brown mixture lozenges, Burrow's solution, ephedrine inhalant compound, and cod-liver oil. U. S. v. Purepac Corporation. Plea of guilty to certain counts. Plea of nolo contendere to remaining counts. Fine, $220. (F. & D. no. 38648. Sample nos. 39994–B, 53176–B, 53177–B, 53179–B, 55533–B.)

This case involved the following products: Compressed brown mixture lozenges that contained less ammonium chloride than declared on the label; Burrow's solution, a product recognized in the National Formulary as solution of aluminum acetate, which contained aluminum acetate in excess of the amount prescribed for said product in the formulary; ephedrine inhalant compound that contained less ephedrine alkaloid than declared on the label; cod-liver oil that was represented to be of pharmacopoeial standard but which contained less than 85 units of vitamin D per gram of cod-liver oil, the standard prescribed by the pharmacopoeia at the time of shipment.

On May 3, 1937, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Purepac Corporation, New York, N. Y., alleging shipment by said corporation in violation of the Food and Drugs Act on or about November 19, 1935, from the State of New York into the States of Maryland and Illinois of quantities of cod-liver oil that was adulterated and misbranded; and on or about February 20 and March 12, 1936, from the State of New York into the State of Florida of quantities of compressed brown mixture lozenges, Burrow's solution, and ephedrine inhalant compound that were adulterated and misbranded.

The articles were labeled in part: "Purepac Compressed Brown Mixture Lozenges without Opium * * * Brown Mixture, 75 minims and Ammonium Chloride, 3 grains [or "Burrows Solution * * *", "Ephedrine Inhalant Compound * * * Ephedrine Alk. 1% * * * contains Ephedrine Alk. 1%", or "Cod Liver Oil Vitamin Tested U. S. P. 10th Revision."] * * * Purepac Corp., New York, N. Y."

The compressed brown mixture lozenges were alleged to be adulterated in that they were sold under a professed standard and quality, namely, a profession that each of the lozenges contained 3 grains of ammonium chloride; whereas they contained less than 3 grains of ammonium chloride each, namely, not more than 0.9 grain thereof; and that their strength fell below the professed standard and quality under which they were sold. These lozenges were alleged to be misbranded in that the label affixed to the bottle bore the statements, "Brown Mixture Lozenges", "Brown Mixture", and "Ammonium Chloride, 3 grains"; that the aforesaid statements were false and misleading in that said article was not brown mixture; and in that the lozenges contained not more than 0.9 grain of ammonium chloride each.

Burrow's solution was alleged to be adulterated in that it was sold under the name "Burrows Solution"; that the name "Burrows Solution" had the same meaning as the name "Solution of Aluminum Acetate", a name recognized in the National Formulary; that the standard of strength, quality, and purity for solution of aluminum acetate as determined by the tests laid down in the aforesaid formulary official at the time of shipment of the article required that it be in an aqueous solution containing not more than 5.5 grams of aluminum acetate in each 100 cubic centimeters; that said Burrows Solution. or "Solution of Aluminum Acetate", contained more than 5.5 grams of aluminum acetate in each 100 cubic centimeters, namely, not less than 7 grams thereof.

The Burrow's solution was alleged to be misbranded in that there was affixed to the bottle a label which bore the statement "Burrows Solution"; that said name had the same meaning as the name, "Solution of Aluminum Acetate", a name recognized in the National Formulary; that the standard of strength, quality, and purity for solution of aluminum acetate, as determined by the test laid down in the aforesaid formulary official at the time of shipment of the article, required that it be an aqueous solution containing in each 100 cubic centimeters not more than 5.5 grams of aluminum acetate; whereas the article contained more than 5.5 grams of aluminum acetate in each 100 cubic centimeters, namely, not less than 7 grams thereof; that the above statement borne on the label was false and misleading.